

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 116 of 1984

HONOURABLE MR. JUSTICE S.K.KESHOTE

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether Their Lordships wish to see the fair copy of judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950, or any other order made thereunder ?
5. Whether it is to be circulated to the Civil Judge ?

GONDAL TALUKA SAHAKARI KHARID VECHAN SANGH LTD

Versus

STATE OF GUJARAT

Appearance:

MR KG VAKHARIA for Petitioners
GOVERNMENT PLEADER for Respondent No. 1
MR HAROOBHAI MEHTA for Respondent No. 2
MR MI HAVA for Respondent No. 4

CORAM : MR.JUSTICE S.K.KESHOTE

Date of Order: 03/07/96

ORAL JUDGMENT

None present for the petitioner. Shri N.N.Pandya
for respondents nos. 1 and 4 present. None presenta for
other respondents.

The petitioner made a challenge by this special civil application to the order of the State Government dt. 28th December 1980 under which respondents nos. 2,3 and 4 were appointed as Government Nominee upon the Managing Committee of Gondal Taluka Sahakari Kharid Vechan Sangth Limited. Shri Pandya made a statement that after filing of this special civil application, election of that society had taken place. It may be true or may not be true but fact remains that operation of the order dt. 28th December 1980 has been stayed by this Court on dt.23rd January 1984 and impugned order was not given effect. I do not considered it proper to give effect to that order, after about 12 years.

In the result, this special civil application is allowed and the order dt. 23rd January 1984 is ordered to be given no effect. However it will be open for the respondents to pass fresh order in accordance with law, if necessary. Rule is made absolute to the aforesaid extent.
